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ART UNIT		PAPER NUMBER		
		2142		

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/336,706	OKADA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Prieto Beatriz	2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 March 2005.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3, 13-35 is/are pending in the application.  
 4a) Of the above claim(s) 13-15 and 18-25 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-3, 16, 17 and 26-35 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

***Detailed Action***

1. This communication is in response to Appeal Brief filed 03/21/05, claims 1-3 and 13-35 remain pending of which claims 13-15 and 18-25 are withdrawn from consideration and claims 1-3, 16-17 and 26-35 remain rejected.

2. In view of the above mentioned Appeal Brief, PROSECUTION IS HEREBY REOPENED.  
New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options: (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or, (2) request reinstatement of the appeal. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

3. Applicant's Appeal Brief as filed 03/21/05 necessitated the new ground(s) of rejection presented in this Office action. Specifically, claimed subject matter has been pointed out on filed Appeal Brief as "*well-known*" by applicant. Thereby, admission(s) by applicant constitute prior art against the claims (see MPEP §2129) reducing the issues to be presented to the Board of Appeals.

4. In response to rejection of claim 1, 26, 27 and 34 under 35 U.S.C. §112, first paragraph, specifically, regarding the claim (1) clause "each chat network has one or more servers", lacking written disclosure in the specification of instant invention. Applicant has indicated on the record (p. 8 of Brief), that this feature is "*implicit in the specification*" of the invention in view of RFC 1459 reference *mentioned* (not incorporated by reference therein) in the invention's related art section on page 1 of the invention's disclosure.

Thereby, rejection under 35 USC 112, first paragraph of claims 1, 26, 27 and 34 is withdrawn and applicant's *well-known in the art statement* is taken to be admitted prior art as well as the teachings set forth by the RFC 1459.

5. Applicant has indicated (section "Chat Background" on p. 4-5 of brief), that taken from the TOURBUS reference made of record but not applied, in a chat network (IRC) a chat client can connect to

a chat channel and participate in a live conversation with one or more people, wherein anyone can connect to the same channel and read messages sent by one participant, by having an chat client (IRC) client software connect to an IRC server a remote host that provides chat service. Applicant's *well-known in the art statement* is taken to be admitted prior art as well as the teachings set forth by the TOURBUS.

6. In response to rejection of claims 26 and 27 under 35 U.S.C. §112, first paragraph, specifically, regarding the claim clause "where different channels do not share messages", lacking written disclosure in the specification of instant invention. Applicant has indicated on the record (p. 10 of Brief), that claims 26 and 27 recite "*well-known*" features and "*inherent* of IRC/chat networks". Applicant states that "*it is well-known at the time of the invention that chat networks do not share, for example, channels or messages*". Applicant also indicated that *it is well-known* at the time of the invention that "*chat messages are not exchanged between the two chat networks*". Applicant has stated that the reference "Chatting on the Net" (reference made of record not relied on) discloses that they are many chat network, each is a separate entity unto itself. One network does not cooperate with another network. The networks do not share common servers..

Thereby, rejection under 35 USC 112, first paragraph of claims 26-27 is withdrawn and applicant's *well-known in the art statement* is taken to be admitted prior art as well as the teachings set forth by the RFC 1459 and Chatting on the Net references.

7. In response to rejection of claims 1, 26, 27 and 34 under 35 U.S.C. §112, first paragraph, specifically, regarding the claim clause "a chat network is designated as current designation", lacking written disclosure in the specification of instant invention. Applicant has indicated on the record (p. 8 of Brief), that this feature is disclosed by the specification. Particularly, pointing out to a written description may be found on section V of the summary of invention (p. 2-3 of Brief), pointing to Fig. 2, page 8, line 32 to page 9, line 4, Fig. 7, page 14, lines 20-24, page 14, line 25 to page 15, line 9, page 15, lines 19-29 and page 16, lines 3-34.

Each portion has been reviewed individually, cited portion (verbatim) recites:

[*The display area 200 is an example of an image displayed by the message display means 20. In this case, the message transmitted and/or received in the channel # abc and # road of the IRC network A and # kobe, # lab and # test of the IRC network B, connected in the chat system 30 by users, are displayed on a time series basis*] (page 8, line 32 to page 9, line 4 and Fig. 7).

It is not clear, where is a *destination* discussed, nor where is there a written description of “a chat network is designated as a current destination”, a designation of a destination is not described in a reasonable clear fashion.

*[The user identifies the message of the display area using, for example, a pointing device, and performs, for example, a double-click on the mouse (a double-click on the mouse is only an example, a key operation is also possible)]* (page 14, lines 20-24).

It is not clear where is a written description or discussion of the designation of a current destination, nor description of “a chat network is designated as a current destination”.

*[Upon detection of a double-click as the switching instruction to the chat system 30 (YES in the step S2410 in Fig. 9), the message transmission processing means 24 analyzes the contents of identified message to obtain (step S2411 of Fig. 9) the IRC network name (IRC network B) and channel name (#abc). Using the IRC network name and channel name obtained, the message transmission processing means 24 generated the main-channel switching instruction (for example, a join command), and transmits this instruction to the chat system 30 (step S2412 of Fig. 9). The chat system switches, upon reception of the main-channel switching instruction transmitted from the message display means 20, the main channel of the chat system 30 connected to the IRC network (IRC network B) and transmits the switching instruction to the channel (#abc) together with the switching instruction.]* (page 14, line 25 to page 15, line 9).

It is not clear, where is a chat network “designated” or a discussion of “designating a destination”, because the above portion, seems to describe the steps by which a message is select (double-clicked) and in response a command called switching instruction is transmitted having a corresponding IRC network name and channel name, the command e.g. is a join command transmitted to said IRC network and channel.

*[In this case, when the display areas 300 and 310 of the chat system 30, to which the relevant IRC network is connected, are not activated, the display area is activated. The display image of the chat system 30 (which is ready for transmitting a message to the channel), in which the message issued, is automatically displayed by instruction the message displayed on the message display means 20. Accordingly, a user can immediate transmit a message to the relevant channel.]* (page 15, lines 19-29).

It is not clear, where is a chat network “designated” or a discussion of “designating a destination”, because the above portion, seems to describe, the activation of a display image connected to which a relevant IRC network is connected for transmitting a message, where the display image automatically displays the issued message to the relevant channel.

Hence, the above portions cited by applicant, seems to describe the steps by which a message is select (double-clicked) and in response a command called switching instruction is transmitted having a corresponding IRC network name and channel name, the command e.g. is a join command transmitted to said IRC network and channel.

Therefore, [*as best understood*] and broadly interpreted, the claim (1, 26, 27 and 34) clause, "*a chat network is designated as current designation*", will be interpreted as "inputting an instruction (i.e. designating) to a chat network for a channel communication".

Thereby, rejection under 35 USC 112, first paragraph of claims 1, 26, 27 and 34 is withdrawn and the broadest reasonable interpretation in light of the specification pointed by the applicant will be applied.

8. In response to rejection of claim 1, 26, 27 and 34 under 35 U.S.C. §112, first paragraph, specifically, regarding the claim clause "the chat client is in communication with two chat networks concurrently over a period of time", lacking written disclosure in the specification of instant invention. Applicant has indicated on the record (p. 9 of Brief), that this feature is "inherent" in the specification. Particularly, pointing out to page 7, lines 27-34, page 14, lines 6-12, page 18, lines 6-10 of the disclosure.

Cited portions have been reviewed, similar to the analysis performed above on each portion, and "over a period of time" simply is not mentioned in any of these portions.

Thereby, rejection under 35 USC 112, first paragraph of claims 1, 26, 27 and 34 is withdrawn and applicant's rationale is taken. Specifically, wherein user can transmit and/or receive messages via a plurality of networks and displayed at the same time, it is inherent that *the chat client is in communication with two chat networks concurrently, particularly over a period of time*.

9. Claim terminology interpretation/meaning:

It is argued (p. 11 of Brief) that a "chat network" is not a chat session or channel. The applied Redpath reference teaches one chat session or channel and the applied Moncreiff reference teaches, according to applicant, different chat rooms or chat sessions all provided by the same chat server.

Applicant states (p. 12 of brief) that the specification of instant application does **not** provide a clear definition of the claimed term "chat network", where because the specification of instant application does not provide a clear definition of the term "chat network", the plain meaning by those given in the art must be applied and not the broad definition applied by examiner.

Applicant seems to further indicate (p. 13 of brief) that one ordinary skilled in the art does not interpret a "chat network", according to the definition provide by the invention (i.e. "*units of service offered to user of the chat network system 30, and is different from a physical network*") because this interpretation is

“*very broad*” and the plain meaning is “*more specific*”, thereby, the latter should be adopted and not the definition in applicant’s disclosure.

In response to the above-mentioned argument, applicant’s interpretation has been fully considered. The invention’s disclosure has been reviewed and found that it has explicitly define the term “chat network”, on page 7, line 24-page 8, line 5, disclosure **verbatim** recites:

[Fig. 2 illustrates an example of a display apparatus 11. The display areas 300 and 310 are examples of the image displayed by the chat system 30. Since display areas 300 and 310 are connected to the service offering user of the two chat system, two windows on the display area 300 are displayed by the chat system 30. The chat system 30 is connected to the IRC network A, and the display area 310, also displayed by the chat system 30, is similarly connected to the IRC network B and displayed on the display apparatus 11. *In this example, the IRC network is defined as a logical network formed in units of service offered to user of the chat network system 30, and is different from a physical network*].

There is an **explicit** definition set forth in the invention’s disclosure and therefore, in accordance with MPEP §2106, where an explicit definition is provided by the applicant for a term, *that definition will control interpretation* of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc., 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999)*.

The definition set forth by the invention in its disclosure is **clear, and explicit**. The definition presented in exemplified form, which as best understood, simply means that they are other definitions, it does not precluded nor exclude this definition from being adopted when interpreting the claims.

The definition set forth by the invention in its disclosure is not conflicting with the plain meaning as well-known in the art. The teachings of the RFC 1459 reference admitted prior art by applicant, states “The server forms the backbone of IRC, *providing* a point to which clients may connect to talk to each other, and a *point* for other servers to connect to, forming an IRC network.” (section 1.1 and Fig. 1).

The definition set forth by the claim is clear and explicit a method comprising, a chat network has one or more servers that provide independent communication service to chat clients.

#### 10. Claim terminology interpretation/meaning:

It is argued that a “chat network” is not a chat session or channel. Thereby, the applied Redpath reference teaches one chat session or channel and the applied Moncreiff reference teaches different chat rooms or chat sessions all provided by the same chat server, as stated on brief p. 11.

Applicant states (p. 11) that the specification of instant application does not provide a clear definition of the claimed term “chat networks”, because chat networks are/is not chat channel or chat session. Applicant indicates that a chat channel or session as a unit of the chat service provided by the

chat network and a chat session or channel does not provide any service, they are simply a unit or division of the chat service provided by the chat network.

In response to the above-mentioned argument, applicant's interpretation has been fully considered. The specification of instant invention has been reviewed. The invention's disclosure has provided a clear definition of the term "chat network", the specification recites verbatim:

[An example of an information exchange system is a chat system. In this example, multiple users have a common communication area (i.e. the same network) by utilizing an IRC (RFC 1459) protocol, etc. in order to transmit and receive messages among one another. Hence, users in the common communication field can observe the contents of messages originated by themselves, as well as the contents of messages transmitted by the other users in the same communication field] (page 1, lines 18-31).

[Fig. 2 illustrates an example of a display apparatus 11. The display areas 300 and 310 are examples of the image displayed by the **chat system** 30. Since display areas 300 and 310 are connected to the *service offering user of the two chat system*, two **windows** on the display area 300 are displayed by the chat system 30. The chat system 30 is connected to the *IRC network A*, and the display area 310, also displayed by the chat system 30, is similarly connected to the *IRC network B* and displayed on the display apparatus 11. *In this example, the IRC network is defined as a logical network formed in units of service offered to user of the chat network system 30, and is different from a physical network.* Additionally, pluralities of channels exist *as the common communication fields within each IRC network. The common communication field is hereafter referenced as a "channel".* The display areas 300 and 310 of the chat system 30 include tool bar display areas 300-1 and 310-1, respectively, for instructing, for example, various manipulations of the displayed date with a pointing device 12, channel switching instructions areas 300-2 and 310-2 for switching the channel for sending messages, main channel display areas 300-3 and 310-3 for displaying a message transmitted and/or received by the channel (hereafter referred to as main-channel) for sending a message, message input areas 300-5 and 310-5 for transmitting a message to the main channel, user list display areas 300-4 and 310-4 for displaying the contents of a message transmitted and/or received to as a sub-channel designated by a user and channel list display areas 300-7 and 310-7 for displaying a list of the main-channel and sub-channel designated by the user] (page 8, lines 6-31).

Hence, Applicant arguments that the specification of instant application does not provide a clear definition of the claimed term "chat networks" are not persuasive. The specification has explicitly define the term "chat network", and "channel". Applicant's argument that a chat channel or chat session does not provide any service is not persuasive.

For the purposes of examination, a **window** display area is display by each chat system to which the area are connected, where a plurality of **channels** exist as the common communication fields within each chat network, each common communication field is a "channel" has been the definition applied.

***Claim Rejection under U.S.C. 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-3, 16-17, 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over REDPATH et. al. U.S. Patent No. 5,990,887 (referred to as Redpath hereafter) in view of Admitted prior art.

Regarding claim 1, Redpath teaches a method including a (“chat client”) user’s terminal (100 or 110 of Fig. 2) in a (“information exchange”) system (8 of Fig. 1) (abstract) for transmitting and receiving messages (col 1/lines 15-20, and col 2/lines 20-26) through two (“chat networks”) communication means to transmit and receive the messages by the terminal (col 3/lines 3-13 and Fig. 2), the system comprising:

designating, with the client, one of two chat network as an active chat network fro receiving messages transmitted by the client, *[as best understood]*, inputting by a client (100 of Fig. 2) an instruction (i.e. designating) to a chat network for a channel communication, e.g. a messages transmitted by a user terminal to a recipient (col 3/lines 3-13 and Fig. 2);

obtaining with the user terminal (100/110 of Fig. 2) the messages at least some of which are transmitted to or received from one of the chat networks and at least some of which are transmitted to or received from another of the chat networks (col 3/lines 3-32, Figs. 6A-C); and

displaying with the user’s terminal the obtained messages transmitted to the two chat networks in (“first discrete display”) an area independent of a message display area of each the two chat networks (602, 608, 616, 622 of Fig. 6A, col 3/lines 3-32 and col 4/line 37 to col 5/line 12);

wherein the chat client is configured transmit and receive the messages through one host server that provides chat communication service to chat clients (Redpath: col 2/lines 20-25, see Internet service provider (ISP), i.e. a server col 1/lines 15-27), where the chat communication service to chat clients is independent (Redpath: Fig. 6 illustrates an independent chat communication service to the chat client, in that the message (602) by chat client (600) received by chat clients (610) and (620), and the message (608) sent by same client (602) does not affect message (604) message sent by two chat client or vice-versa);

however Redpath does not explicitly disclose that communication is concurrent in a period of time, not explicitly disclose that messages are obtained from a first chat network and some messages are obtained from another chat network.

It is has been admitted as prior art that chat networks each have one or more chat servers that provide independent chat communication service (p. 3 of brief). The IRC network has been defined as a logical network formed in units of service offered to user of the chat network system, and is *different* from a physical network by applicant's disclosure (specs p. 8, lines 6-31). Admitted well-known prior art reference RFC 1459 on Fig. 2 on p. 10, shows a chat client (1) communicating with other chat clients, e.g. chat client (4) and chat client (3) over two chat networks (i.e. *units of service offered to user of the chat network system, different from a physical network*) for example, units of service servers (A & B) and units of service servers (C& D) respectively. It is well-known in the art that in a an Internet chat environment, a chat client (1) communicates (i.e. receiving/transmitting messages) with chat client (3) over a first chat network having one or more servers (i.e. A & B) and may concurrently also communicate with another chat client (3) over a second chat network having one or more servers (i.e. C & D) (see RFC 1459 section 3.1 on p. 10-11).

Hence, it would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Redpath for representing a data processing system for implementing a chat environment having a plurality of network each having their own set of resources including a plurality of processors comprising servers, the teachings for implementing a chat system as set forth by RFC 1459 would be readily apparent and well-known. One would be motivated to combine the teachings of set forth by RFC 1459 with the teachings of Redpath because the teachings of the RFC reference set forth instructive teachings of “the *most widely used chat protocol*”, as noted by applicant (p. 6 of Brief). One would also be motivated to combine the above-mentioned teaches because RFC further suggest that TCP/IP is not the only protocol in which chat environments may operate, thereby, it would be readily apparent to one ordinary skilled that it can easily be implemented in the Redpath system which seems to operate on both TCP/IP and UDP.

Regarding claim 2, Redpath teach substantial features of the invention as claimed, teaching (“information exchange”) system in which user terminals (12/30 of Fig. 1 or 110/100 of Fig. 2) are configured for connection to a plurality of network communication sessions (“chat networks”) to transmit and receive messages through the plurality of chat networks (col 3/lines 3-13, 38-41 and 49), the user terminals having a (“message display”) area (Fig. 3) for displaying messages transmitted (Fig. 6A, elements 602,

608, 616, 622) and received (Fig. 6A, elements 604, 606) to or from each of the plurality of chat networks (col 3/lines 14-32), the information exchange system comprising:

designation means (100 of Fig. 2) (“designating”) establishing a (“chat network”) network communication or session of the plurality of chat networks as an (“active chat network”) current network communication or session for receiving messages transmitted by a user terminal, (col 3/lines 3-13 and Fig. 2); and

message acquiring means (100 of Fig. 2) of the user terminal for acquiring messages transmitted and received to or from each the plurality of chat networks (col 3/lines 3-13 and col 4/lines 37 to col 5/line 12); and

message displaying means (100 of Fig. 2 and Figs. 3 and 6) of the user terminal for displaying the acquired messages in a (“discrete display”) area independent of a (“message display”) area of each of the plurality of chat networks (col 4/lines 37-col 5/line 12 and 3/lines 3-13); however Redpath does not explicitly teach that messages are obtained from a first chat network and some messages are obtained from another chat network.

It is has been admitted as prior art that chat networks each have one or more chat servers that provide independent chat communication service (p. 3 of brief) inherently over a period of time (p. 9 of brief). The IRC network has been defined as a logical network formed in units of service offered to user of the chat network system (30), and is *different* from a physical network by applicant’s disclosure (specs p. 8, lines 6-31). Admitted well-known prior art reference RFC 1459 on Fig. 2 on p. 10, shows a chat client (1) communicating with other chat clients, e.g. chat client (4) and chat client (3) over two chat networks (i.e. *units of service offered to user of the chat network system, different from a physical network*) for example, units of service servers (A & B) and units of service servers (C& D) respectively. It is well-known in the art that in an Internet chat environment, a chat client (1) communicates (i.e. receiving/transmitting messages) with chat client (3) over a first chat network having one or more servers (i.e. A & B) and may concurrently also communicate with another chat client (3) over a second chat network having one or more servers (i.e. C & D) (see RFC 1459 section 3.1 on p. 10-11).

Hence, it would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Redpath for representing a data processing system for implementing a chat environment having a plurality of network each having their own set of resources including a plurality of processors comprising servers, the teachings for implementing a chat system as set forth by RFC 1459 would be readily apparent and well-known. One would be motivated to combine the teachings of set forth by RFC 1459 with the teachings of Redpath because the teachings of the RFC reference set forth instructive teachings of “the *most widely used chat protocol*”, as noted by applicant (p. 6 of Brief). One

would also be motivated to combine the above-mentioned teaches because RFC further suggest that TCP/IP is not the only protocol in which chat environments may operate, thereby, it would be readily apparent to one ordinary skilled that it can easily be implemented in the Redpath system which seems to operate on both TCP/IP and UDP.

Regarding claim 3, message transmission cooperating means (100/110 of Fig. 2) of the user terminal for transmitting a message when the message edited and displayed on a designated area independent from the other designated areas on the screen is identified for transmission by pressing the enter causing the displayed message displayed on a designated area to be transmitted to recipient on at least one of the plurality of network (col 4/lines 36-col 5/line 12).

Regarding claim 16, Redpath teaches displaying messages of both chat networks in independent areas (602, 608, 616, 622 of Fig. 6a, col 3/lines 3-32 and 4/line 37-col 5/line 12).

Regarding claim 17, (“discrete display”) area is separate from another display area that is dedicated to the (“active chat”) network communication (col 4/lines 37-col 5/line 12 and 3/lines 3-13 of Figs. 3 and 6).

Regarding claim 28, chat networks are different, where the messages are identified according to the logical network, i.e. service of the sender (Redpath: Fig. 6 illustrates different chat networks 602, 612 & 614).

Regarding claim 29, displaying on the client (600) obtained messages in a first discrete area, i.e. a window (Redpath: 600 of Fig. 6) is independent from the message display area (Redpath; 610 or 620 of Fig. 6) of the plurality of chat networks.

Regarding claim 30, this is the computer readable implementation associated with claim 1, same rationale of rejection is applicable.

Regarding claims 31 and 35, this claim is substantially the same as claim 1, thereby same rationale of rejection is applicable.

Regarding claim 32, this claim is substantially the same as claim 29, same rationale of rejection is applicable.

Regarding claim 33, this claim comprises limitations and/or features recited on claim 1, in that the information exchange transmits/receiving messages sent concurrently over a period of time, i.e. “interspersedly transmitted”, same rationale of rejection is applicable.

Regarding claim 34, inputting a selected instruction (i.e. designating) to a chat network for a channel communication to a chat recipient displayed in the discrete display area (Redpath: 616 on Fig. 6B, where the instruction is directed to at least one corresponding host server having an InetAddress and corresponding socket/port 5001).

13. Claims 1-3, 16-17, and 26-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Redpath in view of Admitted prior art (p. 6 of brief) reference US 6,212,548 DeSimone et. al. (DeSimone hereafter)

Regarding claim 1, Regarding claim 1, Redpath teaches a method including a (“chat client”) user’s terminal (100 or 110 of Fig. 2) in a (“information exchange”) system (8 of Fig. 1) (abstract) for transmitting and receiving messages (col 1/lines 15-20, and col 2/lines 20-26) through two (“chat networks”) communication means to transmit and receive the messages by the terminal (col 3/lines 3-13 and Fig. 2), the system comprising:

designation means (100 of Fig. 2) designating at a chat network of the plurality of chat network as an active chat network for receiving messages transmitted by a user terminal (col 3/lines 3-13 and Fig. 2);

obtaining with the user terminal (100/110 of Fig. 2) the messages at least some of which are transmitted to or received from one of the chat networks and at least some of which are transmitted to or received from another of the chat networks (col 3/lines 3-32, Figs. 6A-C); and

displaying with the user’s terminal the obtained messages transmitted to the two chat networks in (“first discrete display”) an area independent of a message display area of each the two chat networks (602, 608, 616, 622 of Fig. 6A, col 3/lines 3-32 and col 4/line 37 to col 5/line 12);

wherein the chat client is configured transmit and receive the messages through one host server that provides chat communication service to chat clients (Redpath: col 2/lines 20-25, see Internet service provider (ISP), i.e. a server col 1/lines 15-27), where the chat communication service to chat clients is independent (Redpath: Fig. 6 illustrates an independent chat communication service to the chat client, in that the message (602) by chat client (600) received by chat clients (610) and (620), and the message (608) sent by same client (602) does not affect message (604) message sent by two chat client or vice-versa);

however Redpath does not explicitly say that communication is concurrent in a period of time, not explicitly say that messages are obtained from a first chat network and some messages are obtained from another chat network.

DeSimone teaches obtaining with the client, the messages which are transmitted to a first of the at least two chat networks having one or more server, and messages which are transmitted to a second of the at least two chat networks having one or more server (i.e. each client is associated with a *particular server*, which server is associated with a designated *client*, col 5/lines 3-11, designated as recipient by another col 13/lines 61-66), when a message is launched for initiating or joining a chat conversation, the launched message contains identification of the *intended recipients* (i.e. to which server is associated therewith), be used by network routers including *respective servers* to route the messages to the terminal(s) of the indicated addressees (col 15/lines 20-27), and other claim limitations;

DeSimone teaches in a chat environment displaying messages with a chat client (105s of Fig. 1) in an information exchange system (150 of Fig. 1) for transmitting and receiving the messages (col 1/lines 26-39);

the chat client transmitting and receiving the messages to and/or from at least two independent chat networks facilities that each have one or more chat servers that provide chat communication service to chat clients (col 1/lines 26-36, 48-59, and col 4/lines 4-18) where the chat communication is independent, e.g. mutually exclusive (col 2/lines 34-37, 57-col 3/lines 6);

where the chat client is in chat communication, e.g. conversation, with the two chat networks concurrently (simultaneous) over a period of time, displayed as a history of the conversation on the client chat (col 1/lines 5-39, col 2/line 20-24), the method comprising:

designating with the client, one of the two chat networks each having one server as an active chat network for receiving messages transmitted by the client, e.g. transmitting with the chat client an instruction to a chat network having one server , e.g. a command which results appear in said chat communication received by the server and transmitted to recipients (col 6/lines 1-4, 25-37 and Fig. 2A, including commands generated, initiated or imparted with the client to the server on the one chat network to initiate a chat communication col 6/lines 38-65, including designating with the client, recipient(s) and respective servers, col 15/lines 20-27);

obtaining with the client, the messages which are transmitted to a first of the at least two chat networks having one or more server, and messages which are transmitted to a second of the at least two chat networks having one or more server (i.e. each client is associated with a *particular server*, which server is associated with a designated *client*, col 5/lines 3-11, designated as recipient by another col 13/lines 61-66), when a message is launched for initiating or joining a chat conversation, the launched

message contains identification of the *intended recipients* (i.e. to which server is associated therewith), be used by network routers including *respective servers* to route the messages to the terminal(s) of the indicated addressees (col 15/lines 20-27); and

displaying, with the client, the obtained messages in a first discrete display area independent of a message display area of each of the plurality of chat networks which routed the message to respective recipients (Fig. 7, a message by the client to *initiate a chat*, where the *message* is sent from her *client* to a communications *server*, col 6/lines 38-45, the message is received by the server, the server send a corresponding message to the recipient for display, col 6/lines 65-col 7/line 53).

Hence, it would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Redpath for representing a data processing system for implementing a chat environment having a plurality of network each having their own set of resources including a plurality of processors comprising servers, the teachings for implementing a chat system as set forth by DeSimone would be readily apparent and well-known. One ordinary skilled in the art would be motivated to given Redpath suggestion of a variety of networks and network architectures to implement therein chat environments that do not limit users to participation in only one multi-party real-time chat communications concurrently over a period of time, but to allow multiple conversation over an elapsed time period using multiple windows, as suggested by DeSimone.

Regarding claim 2, the combined teachings of Redpath and DeSimone further teach

designation means (DeSimone client software: col 4/lines 11-38) designating at least one chat network of the plurality of chat network each comprising at least one server (110) (DeSimone col 1/lines 26-39) as an active chat network for receiving messages transmitted by a user terminal (220 of Fig. 2A, col 2/lines 30-37, col 3/lines 50-col 4/line 3) (DeSimone: col 6/lines 1-4, 25-37 and Fig. 2A, including commands generated, initiated or imparted with the client to the server on the one chat network to initiate a chat communication col 6/lines 38-65, including designating with the client, recipient(s) and respective servers, col 15/lines 20-27);

message acquiring means (DeSimone client software: col 4/lines 11-38) of the user terminal running corresponding chat software for acquiring messages transmitted and received to each of the plurality of chat networks comprising one or more server (DeSimone: col 1/lines 48-59 and col 2/lines 48-49, i.e. sending and receiving all messages sent to each chat network col 1/lines 25-57, col 4/lines 4-18, client software acquiring means col 15/lines 50-53);

message displaying means of the user terminal for displaying (e.g. a screen) (DeSimone col 1/lines 26-57, col 19/lines 11-12), wherein the acquired messages are displayed in a discrete display area

independent of a message display are of each of the plurality of chat networks (DeSimone: Fig. 7, a message by the client to *initiate a chat*, where the *message* is sent from her *client* to a communications *server*, col 6/lines 38-45, the message is received by the server, the server send a corresponding message to the recipient for display, col 6/lines 65-col 7/line 53).

Regarding claim 3, message transmission cooperating means (220 of Fig. 2A) of the client for transmitting one of the messages when the message to be transmitted is displayed to one of the chat networks having one or more servers (210 of Fig. 2A) (DeSimone Figs. 4B, shows a message displayed to sent by Mike and a send button, col 1/lines 26-41, messages are sent to a server on the chat network col 4/lines 46-53, col 6/lines 38-45).

Claims 4-12 (Cancelled)

Claims 13-15 (Withdrawn)

Regarding claim 16, displaying comprises displaying messages of both chat networks in the discrete area independent of another area for displaying messages of one of the chat networks (DeSimone Fig. 7).

Regarding claim 17, wherein the discrete display area is separate from another display area that is dedicated to the active chat network (DeSimone Fig. 7)

Claims 18-25 (Withdrawn)

Regarding claims 26-27, DeSimone teaches wherein each independent chat network having one or more server comprises its own set of chat channels separate from the other chat network (Fig. 7), where a channel in the first chat network (conversation 1) and another channel in the second chat network (conversation 2) allowed to each have a same identifier (e.g. unique user identifier UID) for users to select from a list of recipients such channels but where such another channels do not share messages, e.g. the messages from Dawn in conversation 1 are not in conversation 2, as shown in Fig. 7.

Regarding claim 28, wherein chat networks different logical networks (DeSimone: col 1/lines 25-39 and 2/lines 1-3, col 5/lines 3-11).

Regarding claim 29, display area is a window for viewing chat conversations (DeSimone: col 4/line 39-56).

Regarding claims 30 and 35, extension of current well-known software methodologies and procedures (DeSimone: col 4/lines 19-37), i.e. executable software comprising instruction stored on a computer readable medium, that when executed perform the function associated with said software. This claim is the computer implementation of claim 1, same rationale of rejection is applicable.

Regarding claim 31, these claims are substantially the same as claim 1, same rationale of rejection is applicable.

Regarding claim 32, this claim is substantially the same as claim 29, same rationale of rejection is applicable.

Regarding claim 33, this claim comprises limitation and/or features recited on claim 1, in that the information exchange transmits/receives messages sent concurrently over a period of time, i.e. “interspersedly transmitted”, same rationale of rejection is applicable.

Regarding claim 34, inputting a selected instruction (i.e. designating) to a chat network for a channel communication to a chat recipient displayed in the discrete display area (Redpath: 616 on Fig. 6B, where the instruction is directed to at least one corresponding host server having an InetAddress and corresponding socket/port 5001, and DeSimone: Fig. 4B).

#### *Response to Arguments*

14. Regarding claims 1, 16-17, 28-33 and 35 rejected under 35 USC 103(a) as being unpatentable over Redpath, it is argued applied reference does not teach claim limitation as recited. Specifically, the Redpath reference does not teach “two chat networks”.

In response to the above-mentioned argument, claim limitation, recites, “*two independent chat communication networks that each have one or more chat servers that provide independent chat communication service to chat clients*”.

Redpath teaches a data processing system (8) comprising a plurality of networks, each network comprising a plurality of computers, or each network comprises a plurality of stations coupled to a host

processor (i.e. independent), each individual computer may also be coupled to plurality of resources including a local area network server (14) running the software which employs the teachings (the internet chat environment disclosed, see abstract) of the patent and distributed to the computers (col 2/lines 20-35, 58-67). In this manner, Redpath teaches two chat communication networks that each have one or more servers that provide chat communication services to chat clients. The communication networks are independent because each network has its own set of resources (processors) such as memory storage or an interconnection network, said storage a server running software for implementing said chat services (col 2/lines 29-35, 58-67).

Redpath further teaches a chat interaction algorithm (at least on columns 5-6) which illustrates communication supported by at least **one server on a chat network** invoked by the command “`InetAddress.getLocalHost()`”, InetAddress Java class represents an IP address, you can query an InetAddress for the name of the host using its `get Hostname()` method, and for its numeric address using `get Address()`.

Redpath furthermore teaches where Fig. 6, illustrates Tom's client application maintaining an ongoing conversation in progress, i.e. concurrently with Mary and Bob, where Tom sends an initial message 602 to these two participants, where Mary has replied with a message 604 and Bob has replied with another message 606. In response to Bob's message 606, Tom replied with another message 608. This is a chat communication exchange between two or more chat clients as shown on these figure in inherent to occur **over a period of time (as discussed above on item No. 8) and concurrently**. Redpath further teach where as Mary inputs a messages, Tom and Bob concurrently and simultaneously see a display of dots on their respective screens, i.e. chat clients are provided independent chat communication service and concurrent (col 4/lines 37-59).

Hence, Redpath teaches two independent chat communication networks that each have one or more chat servers that provide independent chat communication service to chat clients, however does not teach where the obtaining messages from a first chat network and some from another chat network. It is has been admitted as prior art that chat networks each have one or more chat servers that provide independent chat communication service (p. 3 of brief). The IRC network has been defined as a logical network formed in units of service offered to user of the chat network system (30), and is *different* from a physical network by applicant's disclosure (specs p. 8, lines 6-31). Admitted well-known prior art reference RFC 1459 on Fig. 2 on p. 10, shows a chat client (1) communicating with other chat clients, e.g. chat client (4) and chat client (3) over two chat networks (i.e. *units of service offered to user of the chat network system, different from a physical network*) for example, units of service servers (A & B) and units of service servers (C& D) respectively.

It is well-known in the art that in an Internet chat environment, a chat client (1) communicates (i.e. receiving/transmitting messages) with chat client (3) over a first chat network having one or more servers (i.e. A & B) and may concurrently also communicate with another chat client (3) over a second chat network having one or more servers (i.e. C & D) (see RFC 1459 section 3.1 on p. 10-11).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Redpath for representing a data processing system for implementing a chat environment having a plurality of networks each having their own set of resources including a plurality of processors comprising servers, the teachings for implementing a chat system as set forth by RFC 1459 would be readily apparent and well-known. One would be motivated to combine the teachings of set forth by RFC 1459 with the teachings of Redpath because the teachings of the RFC reference set forth instructive teachings and “the *most widely used chat protocol*”, as noted by applicant (p. 6 of Brief). One would also be motivated to combine the above-mentioned teachings because RFC further suggests that TCP/IP is not the only protocol in which chat environments may operate, thereby, it would be readily apparent to one ordinary skilled that it can easily be implemented in the Redpath system which seems to operate on both TCP/IP and UDP.

15. Regarding claim 34 rejected under 35 USC 103(a) as being unpatentable over Redpath, it is argued applied reference does not teach claim limitation as recited. Specifically, the Redpath reference does not teach claim clause, “*a chat network is designated as current designation*”.

In response to the above-mentioned argument, as noted above claim limitation will be interpreted as “inputting an instruction (i.e. designating) to a chat network for a channel communication”. Specifically, regarding claim 34, the applied prior art teachings inputting a selected instruction (i.e. designating) to a chat network for a channel communication displayed in the discrete display area (Redpath: 616 on Fig. 6B, where the instruction is directed to at least one corresponding host server having an InetAddress (i.e. an IP address) and corresponding socket/port No. 5001, see columns 5-6, col DeSimone: Fig. 4B).

16. Applicant’s arguments filed 03/21/05 have been fully considered but found not persuasive.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free)).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

or faxed to the Central Fax Office:

(703) 872-9306, for Official communications and entry;

Or Telephone:

(703) 306-5631 for TC 2100 Customer Service Office.

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